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# THE MADERA COUNTY HISTORIAN

MADERA COUNTY HISTORICAL SOCIETY QUARTERLY

Volume III - Number 2

April, 1963

## MADERA COUNTY ROAD RECORDS

by DOUG HOUSTON  
(Former Madera County Surveyor)

Among the archives of the Madera County Surveyor's Office is a set of records which, predating the formation of Madera County by nearly forty years, extend back to within three months of the formation of the county of Fresno. These records, consisting of a "Road Register" and copies of numerous documents pertaining to the opening of roads in the area that is now Madera County, present a graphic picture of the early settlement of this region.

We must describe the Road Register as a large book of formally-ruled pages, two pages to the form. The first page is headed with blanks for Name of Road followed by subheads and blanks for Petitions Filed, Petitions Presented, Viewers Appointed, Viewers Reports, Notice to Non-consenting Land Owners, Damages Awarded to, Declared Public Highway, Road Overseer Instructed to Open, etc; the opposite page being blank and headed Remarks.

The documents referred to, so meticulously copied in a fine copper-plate hand as to show errors of spelling (the copyist indicating "That's the way it is" by two or three dots under the error), are families of road petitions complete with signatures, petitioners' bonds, appointments of viewers, viewers' oaths and reports, affidavits of

posting, etc., on file in the Fresno County archives up to the date of the division of the County, March 11, 1893. The documents for each road are enclosed in a separate wrapper or envelope bearing the name of the road.

These documents, especially petitions and viewers' reports, are what give the really colorful pictures, and while it would be too voluminous to recount everything of interest to be found in these records, here are a few of the high points.

Taking these chronologically, we find the earliest date is in the Road Register. On page one, under Name of Road, we find "McCray"; under Declared Public Highway, the date, Sept. 17, 1856 (Fresno Co. was formed June 23, 1856), with no other entries and no clue as to location.

For convenience of reference, roads were usually designated by the first signature on the petition or sometimes by location. The second entry in the Register has for Name of Road, "McCray to Roan's store." This would seem to indicate McCray as a location, probably McCray's ranch or house. The date of this last, under Declared Public Highway, is Nov. 22, 1856; no other information. I have no clue as to where

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McCray or Roan's store was, but it can almost certainly be assumed that this road was in the mountains or foothills, as settlers in the Valley were very scarce at that date. (Ed. Note: This may possibly be James Roan's store at the upper crossing of the Fresno River as described in "Traders and Trading Posts" by Nathan Sweet, Madera County Historian, Vol. III, No. 1.)

Early entries in the Road Register show nothing but name of road and date of declaration. It leaves one wondering if they were able to dispense with such formalities as petitions, viewers, etc. The first entry to show viewers is "McCullough's Mill"; petition filed Feb. 2, 1869; viewers appointed, M.B. Lewis, George Green, J.H. Bethel; declared public highway May 4, 1869; no further information.

Between this date and the first entry we find the following names and dates of declaration:

Chowchilla to Cotton Wood, Nov. 7, 1859; Merced County to Tulare County, Nov. 7, 1859; Crane Valley and Jones Store, Feb. 5, 1861; Coffee and Hunt's to Crane Valley, May 5, 1861; Gilmore to Crane Valley, May 5, 1862; Hunt's to Willow Crossing, Feb. 1, 1864; Mechalls to Crane Valley, Aug. 10, 1864; Fine Gold Gulch to Cassady Bar, Aug. 7, 1865; Monte Rodonda, Aug. 7, 1865. This last name is rather interesting and will be discussed later.

In 1867 we have the first set of copied documents but before leaving the Register we will skip some thirty years to note two rather interesting items. The first, under "Town of Madera, Streets and Alleys," "All streets and alleys designated on Maps and Plats of the Town of Madera on file in the Office of the County Recorder of the County of Fresno are hereby declared to be public streets

and alleys," dated Dec. 6, 1899.

The second item gives the date, Feb. 5, 1902, of the filing of a "Petition to vacate streets and alleys in Town of Minaret." The hearing was set for March 5, 1902, then set off month by month; the last date set for hearing being Nov. 5, 1902. No information is given as to the results of the hearing and we wonder if said streets and alleys were abandoned.

The town of Minaret, non-existent except on paper, attained this existence when it became evident that a new county was to be formed north of the San Joaquin River. A few blocks and streets were staked and a pretentious map with eighty-foot streets and a central square for a courthouse site was recorded in Fresno, April 14, 1893. It was then proposed as the county seat of the new county, however, the proximity of railroads, lumber mill and business houses weighed too heavily in favor of Madera and Minaret never developed further.

The location is just south of County Road 400, about one-half mile above the junction with 406 and about four miles northeast of the Adobe Ranch. Whether or not the streets and alleys were ever officially abandoned, confirming information would be extremely difficult to locate at this date.

Returning to the documents, earliest date we find is a petition filed July 23, 1867, for a road from "Buchanan Hollow to Crane Valley." The petition states that the present road "performs a serpentine course - running at time over almost impassable hills then across small streams - rendering repair of road a continuous business."

The only lumber mill in the ter-



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territory north of the San Joaquin River was located in Crane Valley, now the site of Bass Lake. Buchanan, the only town in Fresno County north of the river, was a flourishing copper mining town at that date and while it was not brought out in the petition, access to that source of timber was very important.

On Feb. 6, 1868, M.B. Lewis, John Heath and James B. Reed were appointed viewers. There is a map and several pages of field notes of the survey by Lewis as surveyor, assisted by Heath and Reed. The survey is by courses and distances, but with no reference to section corners or lines (something of great concern to the modern-day surveyor).

The map shows section lines apparently projected from the location of Buchanan and are somewhat approximate, to say the least. It does indicate that the route chosen more or less approximates the present road from Buchanan through Knowles by Fresno Crossing to Coarsegold, then through Oakhurst (formerly called Fresno Flats), and the old road to Bass Lake. Buchanan is the only name indicated; all the others being nonexistent at that date.

The survey notes are accompanied by copious remarks, mostly on the nature of the terrain, but we find the following rather interesting: for the starting point, "Beginning on the Stage Road in the Town of Buchanan opposite and near the smelting furnace of 'Theo' Phillips." (Theodore Phillips was superintendent of the Buchanan Mines according to L.A. Winchel in his History of Fresno and Madera Counties.) At a distance of about twenty miles from the starting point we find the notation, "Passed Al Dixon's grave"; this appears to be a landmark as it is again referred to at a later date. Four miles further we find, "Between

Quartz Mill and Michael's Hotel." This would be somewhere near the present town of Coarsegold. A short distance further he, "Enters Coarse Gold Gulch."

The petition bears sixty-four signatures, two of which rather intrigued the writer - Samuel Frakes and J.A. Van Valkenberg. Winchel's History of Fresno & Madera Counties speaks of the Frakes family as among the early settlers along the Chowchilla River. In a long disused cemetery on the Rea Ranch, one can find today a small headstone inscribed, "Myrum, son of S.A. & A. Frakes, died Dec. 13, 1864, aged 4 years, 6 months, 13 days." Lying beside its base is an elaborate marble headstone bearing the inscription, "Henrietta, wife of J.A. Van Valkenberg, died Oct. 11, 1874, aged 24 years, 5 days."

Next date we have is Aug. 6, 1867, for an affidavit of posting notices. This is accompanied by a petition, undated, asking for a road, "Commencing at a point on the Cottonwood Creek at the old Ranch of Jerry Brown, and running thence to the old Kimble Ranch; thence to the old Waistcoat Ranch; thence to the Stage Station on the Fresno River near the ranch of Judge Lewis; thence to the old Bachman Ranch; thence to the ranch of Henry C. Daulton; thence to the ranch of Jonathan Rea; thence to the town of Buchanan Hollow; thence in a northwesterly direction to a point on the Mariposa County line."

Except for the last three miles before reaching Buchanan, this road cannot be identified with any of those existent today, the starting point and Buchanan Hollow being the only definite points. Buchanan Hollow, or Buchanan, can be definitely located, and Jerry Brown's, the point of commencement, is the pres-

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ent Wide Awake Ranch. Brown's house is indicated on the U.S. Surveyor General's Plat of this township; the survey notes of which, dated 1854, refer to "Jeremiah Brown's House," Jerry evidently being a very early settler. The Daulton and Rea ranches, still existent under the old names, are too extensive for point locations. The others are long forgotten and the writer has no knowledge of their locations. One wonders if the Judge Lewis referred to is the same Judge Lewis whose house is indicated near the location of the old Bonito Ranch, on the U.S. Township Plat surveyed in 1853. If so, the Judge had evidently moved up the creek a piece since that date.

There is also a map and three pages of field notes of the survey of this road, with M.B. Lewis, surveyor, assisted by C.A. Yancy and "Sam'l" H. Lewis (probably Judge Lewis), "sworn chainbearers". This survey, started Oct. 29, 1867, also gives courses and distances, but no section references. The map shows that the road bears generally northwest from Brown's and crosses the Chowchilla River just north of Buchanan, but not much else. The field notes are embellished of which here are a few samples: "Passing 4 chains north of Hildreth's Spring House at the 'Wescoat' place, .... Passed between residence of C.A. Yancy and barn; ... Enter town; Passed near furnace; Intersect County line of Mariposa near a small garden fence s.w. from a pile of rocks supposed to be on County line." A notation on the wrapper reads, "Established Dec. 12, 1867."

December 16, 1868, is the petition of Appling Bros. et al, addressed from the town of Buchanan for a road commencing at "Appling's Crossing on the Chowchilla - connecting with newly-laid route from Stockton

through Merced County - thence southeasterly to intersect present County road at Big Dry Creek." Again, M.B. Lewis is the surveyor; he is assisted by William Appling and Richard Parsley and leaves us a set of field notes and a map, and there are no references to section lines or corners. The map has a north point and shows Chowchilla River at the top or north side of the page and Big Dry Creek at the bottom, with Douglas' Branch and Rea's Branch somewhere between. The road is indicated by a dotted line bearing generally northwest. Appling's residence is indicated near the road at the Chowchilla River, but just how far up or down the creek, there is no way of telling. Field notes state, "From beginning to conclusion 6 miles, 134 rods."

This is only a short hour's drive with a good team and buckboard, but the next road on our agenda is a different matter. Extending some twenty-eight miles from the San Joaquin River to the Chowchilla River, it would take a spanking team and excellent horsemanship to cover this from end to end in four hours.

The petition dated May 3, 1869, is by Jas. Landrum et al, and "preys" for a road, "Commencing at residence or ferry of said Landrum on the San Joaquin River in Sec. 34, T.12 S. R. 18 E., thence in the most direct feasible line in a northerly direction to Minters on the Chowchilla River, which is on a direct line to Welch's Store on the Mariposa."

The petitioners also state, "That there is no public highway traversing the said section of country in any direction, except the stage road from Millerton by way of the Adobe, that all of said country is rapidly becoming peopled and cultivated." In the next issue of the "Historian" I will discuss this road's progress.

(To be Continued)



## MADERA IRRIGATION DISTRICT DEVELOPMENT

by HARRY BARNES

(Continued from Number 1, Volume III)

On January 19, 1916, R.L. Hargrove, a Madera attorney and manager of Madera Canal & Irrigation Company, filed Application #234 with the State Division of Water Rights, to divert 3,000 second feet and store 500,000 acre feet of the unappropriated water of the San Joaquin River. Place of filing was at the present location of Friant Dam and water was to be used on lands in Madera County.

Prior to this filing, there had been discussion of the physical feasibility of getting water out of the river at this point to those lands, and in 1915 I had surveyed a line from Friant Reservoir to the Fresno River to see what the possibilities were. Early in 1916 an irrigation committee was formed of forty local citizens to undertake immediate investigation looking toward the formation of an irrigation district. A fund of \$25,000.00 was raised for preliminary surveys, investigation of Friant Dam site, legal advice, etc. Some drilling was done at the Friant site to check foundation conditions, and Mr. Louis C. Hill of Los Angeles was retained as consulting engineer. In June, 1917, Mr. Hill, after a study of conditions, made a comprehensive report on a proposed irrigation district of 350,000 acres, more or less, covering water supply, water requirements and power development, with a general estimate of cost. A supplemental report was made by Mr. Hill in May, 1918, covering in more detail certain aspects of the project.

Meanwhile, steps looking toward formal organization of the district were being taken. Meetings were held to discuss boundaries and to educate the people as to what was proposed, and a petition was pre-

pared and filed with the County Supervisors. A second filing on the water of the San Joaquin River was made on September 26, 1919, being Application #1465 to the State Division of Water Rights for 3,000 sec. ft. of flow, and 500,000 ac. ft. of storage. The district was duly organized January 12, 1920.

The district immediately became active in the pursuit of its plans. The firm of Cope, Rand & Means were employed as engineering consultants and F.M. Carter employed as Chief Engineer and Manager. Field surveys and investigations were started immediately to locate the main canal and distribution system. A topographic survey was made of the Friant Reservoir.

In 1920, gravel pit land below Friant was purchased for \$100,000 to supply gravel for construction of the proposed Friant Dam. Data was gathered on the ground water resources of the district and other pertinent information obtained. A detailed report on the district was submitted by Cope, Rand & Means late in 1920. In that report a water supply for the 350,000 acre district was set up at 810,000 ac. ft. a year, of which 655,000 ac. ft. was to come from the San Joaquin River. In November, 1920, an Engineering Board consisting of Hill, Means & Carter submitted a report showing an estimated cost of \$28,000,000 for works for the district of 350,000 acres.

In November, 1920, Miller and Lux filed a number of suits against Madera Irrigation District, attacking organization procedure, opposing assessments of Miller & Lux lands in the district and also opposing any

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diversion of San Joaquin River water by the district. It was then realized by the district that any plans for construction would have to be held up pending determination of rights to divert water from the San Joaquin River. The issue was joined immediately on what was known as the Gravelly-Ford Case. In July, 1921, a bond issue of \$28,000,000 was passed by practically unanimous vote in the district. Of this amount, State Engineer McClure permitted \$200,000 of bonds to be sold to carry on litigation.

In 1922, Madera Irrigation District entered into a contract with Medano Irrigation District under which the immediate development of the Chowchilla River storage would be undertaken by Madera District. Plans were all worked out, but State authorities refused to allow the sale of bonds to cover the expenditure.

Meanwhile, litigation with Miller & Lux continued. Neither side was getting anywhere. Miller & Lux found that lawsuits clouded rights and hurt land sales. Madera Irrigation District was finding out that lawyers and engineering experts were an expensive luxury. The district filed a third application with the State Division of Water Rights, #2792 as of March 13, 1922, to divert 9,000 sec. ft. and store 600,000 ac. ft. of unappropriated water of the San Joaquin River. Compromises were suggested resulting in an agreement in September, 1922, looking to a cessation of hostilities and anticipating the formation of a super-district to include lands of Miller & Lux and part of M.I.D. and to cooperate in the development of storage on the San Joaquin River. During the following year investigations and negotiations were had by and between the parties and the San Joaquin River Water Storage District comprising 550,000 acres

was formed in February, 1924. This district included 184,000 acres of Madera Irrigation District.

The Storage District immediately got busy to work out the project program. Properties of the Miller & Lux Canal Companies and of East Side Canal Company (Stevinson) were inventoried and appraised. A.J. Wiley, a dam engineer, was retained to design and make power studies on dams with reservoir capacities ranging from 150,000 to 600,000 ac. ft. Surveys were made to extend irrigation facilities to new lands and drainage studies were made and drainage system outlined. An engineering board of review, composed of Messrs. Etcheverry, Herrman & Haehl was retained to evaluate water rights. Contracts were worked out to purchase properties of Miller & Lux and the East Side Canal Company, Madera Canal & Irrigation Company, and the water filings of Madera Irrigation District, which the Storage District was very anxious to acquire, and which Madera Irrigation District was keeping in good standing with the Division of Water Rights by showing its activity in trying to work out the district project.

After some years of effort, it became obvious that agreement on a feasible storage district plan could not be had with Miller & Lux, and the San Joaquin River Water Storage District was dissolved early in 1929. During its existence the Storage District had levied assessment of 60¢ per acre or a total of \$330,000, of which some \$110,000 was collected from lands in Madera Irrigation District.

Following the dissolution of the Storage District, the suits against the Madera Irrigation District were reopened by Miller & Lux. The district fought back and engaged in

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## MADERA IRRIGATION DISTRICT DEVELOPMENT

other activity to try to work out its project. Negotiations were begun in 1929 with San Joaquin Light & Power Company looking toward co-operative storage on the river, and form of contract was agreed upon. Litigation with Miller & Lux continued resulting in the Haines decree in 1931 which seemed to close the door to any independent development of the San Joaquin River by the district. It was about that time that an election was held to recall and cancel the \$28,000,000 bond issue which had been voted in 1921 but which was an incubus affecting land titles in the district which it was desirable should be removed. Proceedings were also had whereby some 175,000 acres of the most undesirable land was excluded from the district leaving a residual district of about 170,000 acres of the more irrigable land.

Meanwhile, the State had been formulating the State Water Plan, which included Friant Dam & Reservoir as features of the project, and negotiations were undertaken with the California Water Project Authority to fix the status of Madera Irrigation District in the California Water Plan as proposed. In the furtherance of its plans the district purchased the Friant dam site in 1931. Negotiations with the Water Project Authority directly continued for over three years, during which time the State made detailed studies of water supply, water requirements, etc., etc., of the district, and a form of contract with the state was negotiated. In due course the State turned the project over the United States Bureau of Reclamation and procedure had to begin all over again in a series of negotiations, investigations, and reports, culminating in the contract of May 24, 1939, under which the District transferred the Friant dam site and gravel pit and water filings to the United States in return for a

water supply under conditions stipulated. That contract made provision for not to exceed an average of 270,000 ac. ft. per year of San Joaquin River water for the then district area of 172,500 acres.

During all of the time since the inception of the District, repeated extensions of time had been granted the District by the State on its applications pending before the State Division of Water Rights, upon showing made periodically by the District that it was continuously exercising due diligence and making every effort possible to carry out its plan and project to secure a water supply from the San Joaquin River. For some years it retained the services of M.B. Harris, a water attorney of Fresno, to care for the District's interests in that respect.

The following table shows the annual expenditures of the Madera Irrigation District from 1920 to 1939 inclusive, in its efforts to secure a water supply for district lands:

<u>YEAR</u>	<u>DISBURSEMENTS</u>
1920	\$ 141,955.20
21	193,682.16
22	131,029.39
23	62,773.10
24	124,565.15
1925	48,526.84
26	17,536.16
27	81,191.53
28	72,831.28
29	29,552.05
1930	40,725.66
31	60,682.81
32	24,574.38
33	17,989.19
34	14,839.84
1935	13,140.40
36	16,937.30
37	21,537.26
38	22,036.98

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## MADERA IRRIGATION DISTRICT DEVELOPMENT

<u>YEAR</u>	<u>DISBURSEMENTS</u>
1939	\$ <u>19,227.29</u>
TOTAL	\$ 1,155,333.97

The above figure is exclusive of \$110,000 more or less, paid by Madera Irrigation District lands for assessments of San Joaquin River Water Storage District, between 1924 and 1929.

Diversion of Central Valley Project water to Madera Irrigation District began in 1944, the annual amounts received by the district in acre feet being as follows:

<u>YEAR</u>	<u>ACRE FEET</u>
1944	23,125
45	75,067
46	41,725
47	44,073
48	23,238
49	57,797
1950	61,106
51	42,227
52	77,500
53	80,500
54	93,300
1955	111,535
56	130,000
57	130,000

Fluctuation in amounts of C.V.P. water received from 1944 to 1951 inclusive was due to the district receiving water under temporary annual contracts during that period. Such temporary contracts only provided service after the requirements of permanent contracts otherwise had been met. Temporary contracts therefore were served by the residual supply which fluctuated with seasonal discharge of the river.

In 1949 the area of Madera Irrigation District was reduced by the exclusion of 43,400 acres to be incorporated in the newly-formed Chow-  
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chilla Water District, leaving a gross district area of 129,000 acres of which 122,000 acres were considered irrigable. Net annual irrigation was estimated at 102,000 acres with an annual requirement of 280,500 ac. ft. of which 218,000 was to be supplied by the San Joaquin River, the balance to come from Fresno River and natural underground supply. It is my understanding that certain exclusions since 1950 have caused some minor modification in area and annual water requirements.

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### SOCIETY'S ANNUAL MEETING HELD

Annual meeting of the Madera County Historical Society was held Monday evening, January 28, 1963, to elect this years' officers.

Mrs. Maud Lindemann was reelected to serve a second term as President. Also elected were Vice-President Alice Pitman; Secretary-Treasurer Harry Vollborn; and Directors, Mrs. Marie Ward, Mrs. H. Clay Daulton, Walter Williams, Mrs. Donald Eaves and Mrs. Agnes Bradford.

Guest speaker for the evening was Ira Landerman who spoke of the Indians of Madera County and displayed several Indian artifacts.

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### MADERA COUNTY HISTORIAN

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MADERA COUNTY HISTORIAN is published quarterly in January, April, July and October by the Madera County Historical Society, P. O. Box 478, Madera, California. Subscription, 50¢ per copy, \$2.00 per year, is included in membership in the Society. Please credit the "Madera County Historian" when reproducing any part.